

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:12-cv-15613-AJT-MKM**

Dial Corporation, et al v. News Corporation et al
Assigned to: District Judge Arthur J. Tarnow
Referred to: Magistrate Judge Mona K. Majzoub
Cause: 15:2 Antitrust Litigation

Date Filed: 12/21/2012
Date Terminated: 09/24/2013
Jury Demand: Both
Nature of Suit: 410 Anti-Trust
Jurisdiction: Federal Question

Plaintiff

Dial Corporation

represented by **Justin M. Presant**
Kellogg, Huber, Hansen, Todd, Evans & Figel,
P.L.L.C.
1615 M. Street, NW
Suite 400
Washington, DC 20036-3215
202-326-7900
Fax: 202-326-7999
Email: jpresant@khhte.com
ATTORNEY TO BE NOTICED

Robert S. Berry
Berry Law PLLC
1717 Pennsylvania Avenue, NW
Suite 450
Washington, DC 20006
202-296-3020
Fax: 202-296-3038
Email: sberry@berrylawpllc.com
ATTORNEY TO BE NOTICED

Plaintiff

H. J. Heinz Company

represented by **Justin M. Presant**
(See above for address)
ATTORNEY TO BE NOTICED

Robert S. Berry
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

H. J. Heinz Company LP

represented by **Justin M. Presant**
(See above for address)
ATTORNEY TO BE NOTICED

Robert S. Berry
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Foster Poultry Farms

represented by **Robert S. Berry**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

News Corporation

represented by **David F. DuMouchel**
Butzel Long (Detroit)
150 W. Jefferson
Suite 900
Detroit, MI 48226-4430
313-225-7000
Email: dumouchd@butzel.com
ATTORNEY TO BE NOTICED

Joseph E. Richotte
BUTZEL LONG, P.C.
Stoneridge West
41000 Woodward Avenue
Bloomfield Hills, MI 48304
(248) 258-1407
Fax: (248) 258-1349
Email: richotte@butzel.com
ATTORNEY TO BE NOTICED

Defendant

News America Incorporated

represented by **David F. DuMouchel**
(See above for address)
ATTORNEY TO BE NOTICED

Joseph E. Richotte
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

News America Marketing FSI, Incorporated

represented by **David F. DuMouchel**
(See above for address)
ATTORNEY TO BE NOTICED

Joseph E. Richotte
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**News America Marketing In-Store Services,
L. L. C.**

represented by **David F. DuMouchel**
(See above for address)
ATTORNEY TO BE NOTICED

Joseph E. Richotte

(See above for address)

ATTORNEY TO BE NOTICED

Email All Attorneys

Email All Attorneys and Additional Recipients

| Date Filed | # | Docket Text |
|------------|-----------|---|
| 12/21/2012 | <u>1</u> | COMPLAINT filed by Dial Corporation against All Defendants with Jury Demand. Plaintiff requests summons issued. Receipt No: 0645-3868252 – Fee: \$350. County of 1st Plaintiff: Maricopa County, Arizona – County Where Action Arose: Out of State – County of 1st Defendant: New York County, New York. [Previously dismissed case: No] [Possible companion case(s): USDC, ED Michigan, 2:06-cv-10240, Judge Arthur J. Tarnow] (Berry, Robert) (Entered: 12/21/2012) |
| 12/21/2012 | <u>2</u> | ATTORNEY APPEARANCE: Justin M. Presant appearing on behalf of Dial Corporation (Presant, Justin) (Entered: 12/21/2012) |
| 12/27/2012 | <u>3</u> | AMENDED COMPLAINT with Jury Demand <i>First Amended Complaint</i> filed by All Plaintiffs against All Defendants. NEW PARTIES ADDED. (Berry, Robert) (Entered: 12/27/2012) |
| 12/27/2012 | <u>4</u> | SUMMONS Issued for *News America Incorporated, News America Marketing FSI, Incorporated, News America Marketing In-Store Services, L. L. C., News Corporation* (PMil) (Entered: 12/27/2012) |
| 12/27/2012 | <u>1</u> | A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at http://www.mied.uscourts.gov (PMil) (Entered: 12/27/2012) |
| 01/03/2013 | <u>5</u> | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by H. J. Heinz Company (Berry, Robert) (Entered: 01/03/2013) |
| 01/04/2013 | <u>6</u> | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Dial Corporation (Berry, Robert) (Entered: 01/04/2013) |
| 01/11/2013 | <u>7</u> | CERTIFICATE of Service/Summons Returned Executed. All Defendants. (Berry, Robert) (Entered: 01/11/2013) |
| 01/24/2013 | <u>8</u> | NOTICE of Appearance by Joseph E. Richotte on behalf of All Defendants. (Richotte, Joseph) (Entered: 01/24/2013) |
| 01/24/2013 | <u>9</u> | NOTICE of Appearance by David F. DuMouchel on behalf of All Defendants. (DuMouchel, David) (Entered: 01/24/2013) |
| 01/24/2013 | <u>10</u> | NOTICE by All Defendants – <i>Rule 7.1 Corporate Disclosure Statement</i> (DuMouchel, David) (Entered: 01/24/2013) |
| 01/24/2013 | <u>11</u> | MOTION to Transfer Venue or, in the Alternative, to Dismiss by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Heinz ROFR 2006–2008, # <u>3</u> Exhibit 2 – Heinz ROFR 2010, # <u>4</u> Exhibit 3 – Heinz ROFR 2010–2013, # <u>5</u> Exhibit 4 – Dial and News America ROFR, # <u>6</u> |

| | | |
|------------|-------------|---|
| | | Exhibit 5 – Amendment to Dial ROFR 2004, # <u>7</u> Exhibit 6 – Amendment to Dial ROFR 2006, # <u>8</u> Exhibit 7 – Valassis First Amended Complaint, # <u>9</u> Exhibit 8 – Transcript Excerpts – MacKie Mason, June 25, 2009, # <u>10</u> Exhibit 9 – Complaint for Declaratory Relief and Demand for Jury Trial, # <u>11</u> Exhibit 10 – Transcript Excerpts – Goldberg, June 15, 2009) (DuMouchel, David) (Entered: 01/24/2013) |
| 01/24/2013 | <u>¶ 12</u> | ANSWER to Amended Complaint with Affirmative Defenses with Jury Demand by All Defendants. (DuMouchel, David) (Entered: 01/24/2013) |
| 01/25/2013 | <u>¶ 13</u> | ORDER REFERRING MOTION to Magistrate Judge Mona K. Majzoub: <u>11</u> MOTION to Transfer Venue or, in the Alternative, to Dismiss filed by News America Marketing In-Store Services, L. L. C., News America Marketing FSI, Incorporated, News America Incorporated, News Corporation. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 01/25/2013) |
| 01/28/2013 | <u>¶ 14</u> | Notice of Determination of Motion Without Oral Argument re <u>11</u> MOTION to Transfer Venue or, in the Alternative, to Dismiss (LBar) (Entered: 01/28/2013) |
| 02/07/2013 | <u>¶ 15</u> | RESPONSE to <u>11</u> MOTION to Transfer Venue or, in the Alternative, to Dismiss Plaintiffs' Opposition To Defedants' Motion To Transfer Venue, Or, In The Alternative, To Dismiss filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Declaration of R. Stephen Berry, # <u>3</u> Exhibit Declaration of Andrea Jeannet, # <u>4</u> Exhibit Declaration of Susan R. Scott, # <u>5</u> Exhibit Complaint) (Berry, Robert) (Attachment 2 replaced on 2/12/2013) (LBar). (Entered: 02/07/2013) |
| 02/12/2013 | <u>¶ 16</u> | MOTION to Amend/Correct <u>15</u> Response to Motion, Plaintiffs' Unopposed Motion To Substitute Redacted Exhibit A To Plaintiffs' Opposition To Defendants' Motion To Transfer Venue, Or, In The Alternative, To Dismiss by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Revised Declaration of R. Stephen Berry) (Berry, Robert) (Entered: 02/12/2013) |
| 02/12/2013 | <u>¶</u> | TEXT-ONLY ORDER granting <u>16</u> Motion to Amend/Correct – Signed by Magistrate Judge Mona K. Majzoub. (LBar) (Entered: 02/12/2013) |
| 02/19/2013 | <u>¶ 17</u> | REPLY to Response re <u>11</u> MOTION to Transfer Venue or, in the Alternative, to Dismiss filed by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 11 – Tolling Letter 3/14/2012, # <u>3</u> Exhibit 12 – BDHS Tolling Agreement 04/04/2012, # <u>4</u> Exhibit 13 – Heinz ROFR 2010 (Redacted), # <u>5</u> Exhibit 14 – Heinz ROFR 2010–2013 (Redacted), # <u>6</u> Exhibit 15 – Dial ROFR (Redacted), # <u>7</u> Exhibit 16 – Amendment to Dial ROFR Agreement (Redacted)) (DuMouchel, David) (Entered: 02/19/2013) |
| 02/22/2013 | <u>¶ 18</u> | MOTION for Leave to File Plaintiffs' Motion For Leave To File Plaintiffs' Supplemental Opposition To Defendants' Motion To Transfer Venue Or, In The Alternative, To Dismiss by All Plaintiffs. (Berry, Robert) (Entered: 02/22/2013) |
| 02/26/2013 | <u>¶</u> | TEXT-ONLY ORDER Granting <u>18</u> Plaintiffs' Motion For Leave To File Supplemental Opposition To Defendants' Motion To Transfer Venue Or, In The Alternative, To Dismiss. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 02/26/2013) |
| 02/27/2013 | <u>¶ 19</u> | MOTION for Leave to File Defendants' Response to Plaintiffs' Supplemental Opposition by All Defendants. (Attachments: # <u>1</u> Exhibit 17 – Letters of |

| | | |
|------------|-------------|---|
| | | Commitment 2008–2010 (Redacted)) (DuMouchel, David) Modified on 2/28/2013 (DTyl). [DEFENDANTS' RESPONSE ATTACHED] (Entered: 02/27/2013) |
| 02/28/2013 | <u>İ 20</u> | STATEMENT of by All Plaintiffs (Attachments: # <u>1</u> Exhibit Email) (Berry, Robert) (Entered: 02/28/2013) |
| 03/04/2013 | <u>İ</u> | ORDER granting <u>19</u> Motion for Leave to File– Signed by Magistrate Judge Mona K. Majzoub. (LBar) (Entered: 03/04/2013) |
| 04/26/2013 | <u>İ 21</u> | MOTION for Leave to File <i>the Second Amended Complaint Pursuant to Fed. R. Civ. P. 15(a)(2), 20(a), 21</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Second Amended Complaint) (Berry, Robert) (Entered: 04/26/2013) |
| 04/26/2013 | <u>İ 22</u> | MOTION for Leave to File <i>Plaintiffs' Second Supplemental Opposition to Defendants' Motion to Transfer Venue in Light of Plaintiffs' Motion for Leave to Add a Corporate Class Representative</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Redacted Declaration of R. Stephen Berry) (Berry, Robert) (Entered: 04/26/2013) |
| 05/01/2013 | <u>İ 23</u> | ORDER granting <u>21</u> Motion for Leave to File Second Amended Complaint. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 05/01/2013) |
| 05/02/2013 | <u>İ 24</u> | AMENDED COMPLAINT with Jury Demand <i>Second Amended Complaint</i> filed by All Plaintiffs against All Defendants. NEW PARTIES ADDED. (Berry, Robert) (Entered: 05/02/2013) |
| 05/02/2013 | <u>İ 25</u> | RESPONSE to <u>22</u> MOTION for Leave to File <i>Plaintiffs' Second Supplemental Opposition to Defendants' Motion to Transfer Venue in Light of Plaintiffs' Motion for Leave to Add a Corporate Class Representative</i> filed by All Defendants. (DuMouchel, David) (Entered: 05/02/2013) |
| 05/02/2013 | <u>İ 26</u> | MOTION for Leave to File <i>Under Seal the Unredacted Declaration of R. Stephen Berry and Memorandum in Support</i> by All Plaintiffs. (Berry, Robert) (Entered: 05/02/2013) |
| 05/06/2013 | <u>İ</u> | TEXT–ONLY ORDER granting <u>22</u> and <u>26</u> Motions for Leave to File – Signed by Magistrate Judge Mona K. Majzoub. (LBar) (Entered: 05/06/2013) |
| 05/07/2013 | <u>İ 27</u> | SEALED EXHIBIT <i>Unredacted Declaration of R. Stephen Berry</i> re <u>22</u> MOTION for Leave to File <i>Plaintiffs' Second Supplemental Opposition to Defendants' Motion to Transfer Venue in Light of Plaintiffs' Motion for Leave to Add a Corporate Class Representative</i> , <u>26</u> MOTION for Leave to File <i>Under Seal the Unredacted Declaration of R. Stephen Berry and Memorandum in Support</i> by All Plaintiffs. (Berry, Robert) (Entered: 05/07/2013) |
| 05/08/2013 | <u>İ 28</u> | MOTION for Order <i>Plaintiffs' Motion for a Scheduling Order and Memorandum in Support</i> by All Plaintiffs. (Berry, Robert) (Entered: 05/08/2013) |
| 05/10/2013 | <u>İ 29</u> | REPORT AND RECOMMENDATION re <u>11</u> MOTION <i>to Transfer Venue or, in the Alternative, to Dismiss</i> filed by News America Marketing In–Store Services, L. L. C., News America Marketing FSI, Incorporated, News America Incorporated and News Corporation – Signed by Magistrate Judge Mona K. Majzoub. (LBar) (Entered: 05/10/2013) |
| 05/16/2013 | <u>İ 30</u> | |

| | | |
|------------|-----------|--|
| | | RESPONSE to <u>28</u> MOTION for Order <i>Plaintiffs' Motion for a Scheduling Order and Memorandum in Support</i> filed by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – SDNY Scheduling Order Entered 05/16/2013) (DuMouchel, David) (Entered: 05/16/2013) |
| 05/23/2013 | <u>31</u> | REPLY to Response re <u>28</u> MOTION for Order <i>Plaintiffs' Motion for a Scheduling Order and Memorandum in Support</i> filed by Dial Corporation, H. J. Heinz Company, H. J. Heinz Company LP. (Attachments: # <u>1</u> Exhibit A) (Presant, Justin) (Entered: 05/23/2013) |
| 05/23/2013 | <u>32</u> | MOTION to Transfer Case <i>or, in the Alternative, to Dismiss</i> by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Foster Farms Agreement 2008–2009 (Redacted), # <u>3</u> Exhibit 2 – Foster Farms Agreement 2010–2011 (Redacted), # <u>4</u> Exhibit 3 – Foster Farms Agreement 2012–2013 (Redacted), # <u>5</u> Exhibit 4 – FSI Terms and Conditions 02/11/2011 (Redacted), # <u>6</u> Exhibit 5 – In–Store Terms and Conditions 04/11/2012 (Redacted)) (DuMouchel, David) (Entered: 05/23/2013) |
| 05/24/2013 | <u>33</u> | OBJECTION to <u>29</u> Report and Recommendation by Dial Corporation, Foster Poultry Farms, H. J. Heinz Company, H. J. Heinz Company LP. (Attachments: # <u>1</u> Exhibit Declaration of R. Stephen Berry) (Berry, Robert) (Entered: 05/24/2013) |
| 05/24/2013 | <u>34</u> | OBJECTION to <u>29</u> Report and Recommendation – <i>Conditional Objection</i> by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Foster Farms Agreement 2008–2009 (Redacted), # <u>3</u> Exhibit 2 – Foster Farms Agreement 2010–2011 (Redacted), # <u>4</u> Exhibit 3 – Foster Farms Agreement 2012–2013 (Redacted), # <u>5</u> Exhibit 4 – FSI Terms and Conditions 02/11/2011 (Redacted), # <u>6</u> Exhibit 5 – In–Store Terms and Conditions 04/11/2012 (Redacted)) (DuMouchel, David) (Entered: 05/24/2013) |
| 06/03/2013 | <u>35</u> | RESPONSE to <u>34</u> Objection to Report and Recommendation, <i>Plaintiffs' Response To Defendants' Objection To Transfer Report</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Declaration of R. Stephen Berry) (Berry, Robert) (Entered: 06/03/2013) |
| 06/03/2013 | <u>36</u> | RESPONSE to <u>33</u> Objection to Report and Recommendation – <i>Defendants' Response to Plaintiffs' Objections to Transfer Report</i> by All Defendants. (Attachments: # <u>1</u> Exhibit Gallo Declaration) (DuMouchel, David) (Entered: 06/03/2013) |
| 06/06/2013 | <u>37</u> | RESPONSE to <u>32</u> MOTION to Transfer Case <i>or, in the Alternative, to Dismiss Plaintiffs' Opposition To Defendants' Additional Motion To Transfer</i> filed by All Plaintiffs. (Berry, Robert) (Entered: 06/06/2013) |
| 06/10/2013 | <u>38</u> | REPLY to <u>36</u> Response (Free) <i>Reply Re: Plaintiffs' Transfer Objections</i> by All Plaintiffs. (Berry, Robert) (Entered: 06/10/2013) |
| 06/10/2013 | <u>39</u> | REPLY to <u>34</u> Objection to Report and Recommendation, by All Defendants. (DuMouchel, David) (Entered: 06/10/2013) |
| 06/13/2013 | <u>40</u> | MOTION for Leave to File <i>Plaintiffs' Motion For Leave To File Supplemental Response Re: Defendants' Transfer Objections</i> by All Plaintiffs. (Berry, Robert) (Entered: 06/13/2013) |

| | | |
|------------|-------------|--|
| 06/14/2013 | <u>¶ 41</u> | ORDER granting <u>40</u> Motion for Leave to File Supplemental Response. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 06/14/2013) |
| 06/18/2013 | <u>¶ 42</u> | MOTION for Leave to File <i>Defendants' Response to Plaintiffs' Supplemental Response Regarding Defendants' Transfer Objections</i> by All Defendants. (DuMouchel, David) (Entered: 06/18/2013) |
| 06/20/2013 | <u>¶</u> | TEXT-ONLY ORDER granting <u>42</u> MOTION for Leave to File <i>Defendants' Response to Plaintiffs' Supplemental Response Regarding Defendants' Transfer Objections</i> filed by News America Marketing In-Store Services, L. L. C., News America Marketing FSI, Incorporated, News America Incorporated, News Corporation. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 06/20/2013) |
| 07/15/2013 | <u>¶ 43</u> | MOTION to Supplement the Record with Newly Discovered Evidence by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Gallo Declaration, # <u>3</u> Exhibit 1 – Dial Original ROFR (Redacted), # <u>4</u> Exhibit 2 – 2004 Amendment to Dial ROFR Agreement (Redacted), # <u>5</u> Exhibit 3 – 2006 Amendment to Dial ROFR (Redacted), # <u>6</u> Exhibit 4 – 02/24/2012 Dial Letter of Commitment (Redacted), # <u>7</u> Exhibit 5 – 02/24/2012 Dial/Henkel Letter of Commitment (Redacted), # <u>8</u> Exhibit 6 – 07/06/2012 Dial/Henkel Letter of Commitment (Redacted), # <u>9</u> Exhibit 7 – 09/10/2012 Dial/Henkel Letter of Commitment (Redacted), # <u>10</u> Exhibit 8 – 10/12/2012 Dial/Henkel Letter of Commitment (Redacted), # <u>11</u> Exhibit 9 – 01/03/2013 Dial/Dollar General Letter for Commitment (Redacted), # <u>12</u> Exhibit 10 – 02/11/2012 In-Store Programs Terms and Conditions (Redacted), # <u>13</u> Exhibit 11 – 04/11/2012 In-Store Programs Terms and Conditions (Redacted)) (DuMouchel, David) (Entered: 07/15/2013) |
| 07/26/2013 | <u>¶ 44</u> | RESPONSE to <u>43</u> MOTION to Supplement the Record with Newly Discovered Evidence <i>Plaintiffs' Opposition To Defendants' Motion To Supplement The Record With Newly Discovered Evidence</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Declaration of R. Stephen Berry) (Berry, Robert) (Entered: 07/26/2013) |
| 07/30/2013 | <u>¶ 45</u> | REPLY to Response re <u>43</u> MOTION to Supplement the Record with Newly Discovered Evidence filed by All Defendants. (DuMouchel, David) (Entered: 07/30/2013) |
| 08/16/2013 | <u>¶ 46</u> | MOTION for Leave to File <i>the Third Amended Complaint Pursuant to Fed. R. Civ. P. 15(a)(2), 20(a)(1), 21</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Third Amended Complaint) (Berry, Robert) (Entered: 08/16/2013) |
| 08/19/2013 | <u>¶ 47</u> | RESPONSE to <u>46</u> MOTION for Leave to File <i>the Third Amended Complaint Pursuant to Fed. R. Civ. P. 15(a)(2), 20(a)(1), 21</i> filed by All Defendants. (DuMouchel, David) (Entered: 08/19/2013) |
| 08/19/2013 | <u>¶ 48</u> | INDEX of Exhibits re <u>47</u> Response to Motion by All Defendants -- <i>with Accompanying Exhibits</i> (Attachments: # <u>1</u> Exhibit 00 – O'Brien Declaration, # <u>2</u> Exhibit 1 – Smithfield ROFR 2007–2009 (Redacted), # <u>3</u> Exhibit 2 – Smithfield ROFR 2010–2011 (Redacted), # <u>4</u> Exhibit 3 – Smithfield ROFR 2012–2015 (Redacted), # <u>5</u> Exhibit 4 – John Morrell & Co ROFR 2012–2013 (Redacted), # <u>6</u> Exhibit 5 – Farmland ROFR 2013–2015 (Redacted), # <u>7</u> Exhibit 6 – H.P. Hood Share Letter Agreement 2007–2008 (Redacted), # <u>8</u> Exhibit 7 – H.P. Hood Share Letter Agreement 2009–2010 (Redacted), # <u>9</u> Exhibit 8 – H.P. Hood Share Letter Agreement 2011–2012 (Redacted), # <u>10</u> |

| | | |
|------------|-------------|--|
| | | Exhibit 9 – H.P. Hood ROFR 2013–2014 (Redacted), # <u>11</u> Exhibit 10 – BEF Foods ROFR 2009–2012 (Redacted), # <u>12</u> Exhibit 11 – BEF Letter of Commitment May 30, 2012 (Redacted), # <u>13</u> Exhibit 12 – BEF Letter of Commitment June 18, 2013 (Redacted), # <u>14</u> Exhibit 13 – BEF Letter of Commitment August 6, 2013 (Redacted), # <u>15</u> Exhibit 14 – Spectrum ROFR 2008–2009 (Redacted), # <u>16</u> Exhibit 15 – Marketing Terms and Conditions Exhibit A (Redacted), # <u>17</u> Exhibit 16 – Spectrum ROFR 2013–2014 (Redacted), # <u>18</u> Exhibit 17 – Schwarzkopf &Henkel Letter of Commitment 2013–2014 (Redacted), # <u>19</u> Exhibit 18 – Schwarzkopf &Henkel Letter of Commitment September 30, 2009 (Redacted), # <u>20</u> Exhibit 19 – In–Store Programs Terms and Conditions April 11, 2012 (Redacted), # <u>21</u> Exhibit 20 – In–Store Programs Terms and Conditions May 10, 2013 (Redacted), # <u>22</u> Exhibit 21 – FSI Programs Terms and Conditions February 11, 2011 (Redacted), # <u>23</u> Exhibit 22 – FSI Programs Terms and Conditions April 11, 2012 (Redacted), # <u>24</u> Exhibit 23 – FSI Programs Terms and Conditions April 11, 2012 (Redacted), # <u>25</u> Exhibit 24 – FSI Programs Terms and Conditions May 10, 2013 (Redacted), # <u>26</u> Exhibit 25 – FSI Programs Terms and Conditions July 24, 2013 (Redacted)) (DuMouchel, David) (Entered: 08/19/2013) |
| 08/26/2013 | <u>¶ 49</u> | REPLY to Response re <u>46</u> MOTION for Leave to File <i>the Third Amended Complaint Pursuant to Fed. R. Civ. P. 15(a)(2), 20(a)(1), 21</i> filed by All Plaintiffs. (Berry, Robert) (Entered: 08/26/2013) |
| 09/24/2013 | <u>¶</u> | TEXT–ONLY ORDER granting <u>43</u> MOTION to Supplement the Record with Newly Discovered Evidence filed by defendants. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 09/24/2013) |
| 09/24/2013 | <u>¶ 50</u> | ORDER Adopting <u>29</u> Report and Recommendation and granting defendants' <u>11</u> motion to transfer venue Signed by District Judge Arthur J. Tarnow. (DTyl) (Entered: 09/24/2013) |